

F I L E D
Clerk
District Court

DEC 15 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

**UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS**

UNITED STATES OF AMERICA)	CRIMINAL CASE NO. 05-00009-001
Plaintiff,)	
)	
vs.)	INFORMATIONAL REPORT
)	
JOSE CRUZ ALDAN)	
Defendant.)	
)	

On December 2, 2005, Jose Cruz Aldan appeared on an Indictment which charged him with Distribution and Possession with Intent to Distribute a Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, § 2. On February 16, 2006, the defendant was released to conditions, to include: \$50,000 unsecured bond; third party custodian under Lydia Ada, defendant's mother-in-law; pretrial supervision; surrender passport and not obtain any passport; not leave Saipan without prior written approval of the court; avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution unless in preparation for trial and only in the presence of his attorney; refrain from possessing a firearm; refrain from any use of alcohol; refrain from use or unlawful possession of a narcotic drug or other controlled substance; submit to any method of testing required by the pretrial services officer or the supervising officer for determining whether the defendant is using a prohibited substance; refrain from obstructing or attempting to obstruct or tamper with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which is required as a condition of release; participate in the home confinement program, home detention component which will include electronic monitoring; and not relocate from his assigned residence (home of third-party custodian) without first notifying in writing, the Probation Office, his attorney, and the court.

On August 18, 2006, the defendant pled guilty to the charges. The Court accepted the pleading and set sentencing for November 14, 2006, which was later moved to November 21, 2006. On November 21, 2006, the defendant was sentenced to 27 months incarceration on each count, terms to run concurrent. He was released to pretrial supervision with conditions previously imposed. He is alleged to have violated his conditions of pretrial release.

Informational Report

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Condition of Release: *The defendant shall submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such method may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.*

On November 22, 2006, Mr. Aldan failed to show for a scheduled drug test at the Marianas Psychiatric Services. On November 27, 2006, he reported to the U.S. Probation for a noncompliance meeting with this officer. He admitted that he did not call the urinalysis drug recording telephone line as instructed on November 26, 2006 and consequently failed to show for his drug test.

Recommendation: This Officer submits this report for the Court's information only and requests no action at this time.

Respectfully submitted this 15th day of December 2006.

FRANK MICHAEL CRUZ
Chief U.S. Probation Officer

By: 
MARGARITA DLG. WONENBERG
U.S. Probation Officer

Reviewed by:


ROSSANNA VILLAGOMEZ-AGUON
U.S. Probation Officer
Supervision Unit Leader

cc: Craig N. Moore, Assistant United States Attorney
Joseph N. Camacho, Defense Attorney
File